

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141878/NMC/2025

Date registered valid: 9 January 2025

Proposal: Non Material Change to application reference 138626/JO/2023 to allow roof fascia depth increased, increase in roof fascia overhang, M&E equipment added to roof, entrance doors slightly altered, logo sign to repositioned, increase in height of the plant deck, louvres added to the front and side of the plant deck, change in timber colour to match the roof fascia, roof standing seam height marginally increased

Address: 550 Mauldeth Road West, Manchester, M21 7AA

Ward(s): Chorlton Park Ward

Applicant: Lidl GB Limited

Agent (if any): Mr Jake Challinor-Smith, Rapleys LLP

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 03.02.2025

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Listed building: In close proximity to the Grade II star listed Hough End Hall

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Non Material Change to application reference 138626/JO/2023 to allow roof fascia depth increased, increase in roof fascia overhang, M&E equipment added to roof, entrance doors slightly altered, logo sign to repositioned, increase in height of the plant deck, louvres added to the front and side of the plant deck, change in timber colour to match the roof fascia, roof standing seam height marginally increased

Consultations & Notification Responses

None

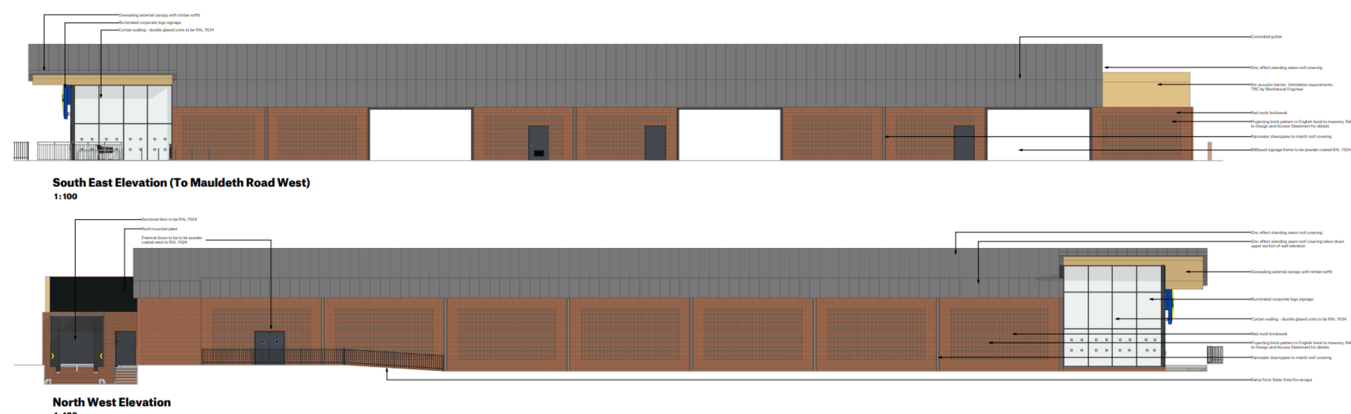
Issues

Materiality

Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008) allows a local planning authority in England to make a change to any planning permission relating to land in its area if it is satisfied that the change is not material. In deciding whether a change is material, the authority must have regard to the effect of the change, together with any previous non-material changes, on the planning permission as originally granted.

It is considered that the proposals are non-material in nature and do not give rise to significant visual or residential amenity impacts greater than considered under the principal planning

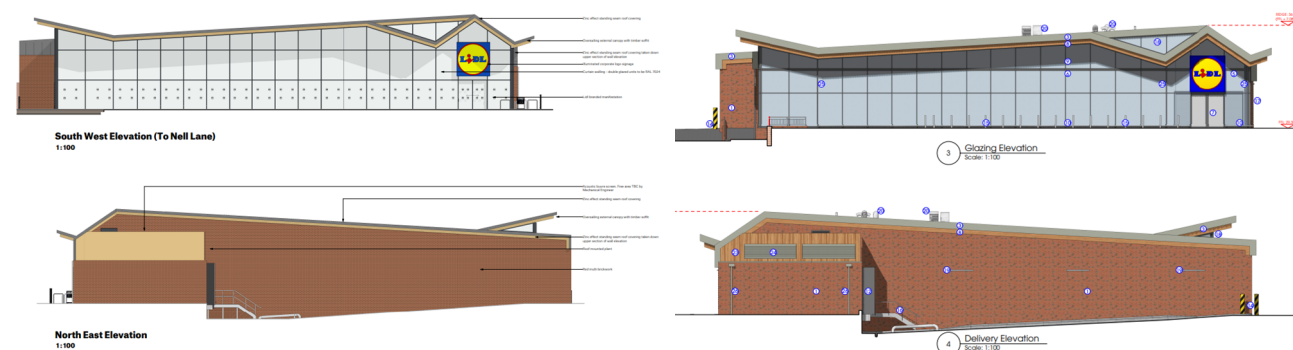
approval. As a result of the proposed amendments changes are required to condition 2 of the planning approval to reference the proposed update elevations.



Approved



Amended



Approved and amended

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have

made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Condition(s) to be attached to decision for approval

1. The proposed amendments relate to a roof fascia depth increased, increase in roof fascia overhang, M&E equipment added to roof, entrance doors alteration, logo sign to be repositioned, increase in height of the plant deck, louvres added to the front and side of the plant deck, change in timber colour to match the roof fasci and the roof standing seam height to be increased.
2. Following an assessment of the details submitted, the Council can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no significant material impact upon the appearance on the development within the streetscene or character of the wider area. It is also considered that the proposals would not have any impact on the amenity of any existing residential properties.

1. The development hereby approved shall be carried out in accordance with the following drawings and documents:

P100 GROUND FLOOR PLAN
P200 GA EXTERNAL ELEVATIONS
P300 GA SITE ELEVATION
T310 BAKERY DRS ROOM DETAIL SECTION
T311 DELIVERY AREA DETAIL SECTION
T402 PROPOSED GA SETTING OUT SITE PLAN
T411 PROPOSED LEVELS AND GRADIENTS SITE PLAN
COVERING LETTER

Dated 9th January 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - South Manchester PD Restriction - Class B1(a) To C3

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA